

## **Attachment No. 6**

### **LUO Amendments (Community Planning Standards)**

EXHIBIT LRP 2010-00016

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE  
LAND USE ORDINANCE, CHAPTER 22.110 RELATING TO THE NORTH COUNTY  
PLANNING AREA AND THE SAN MIGUEL URBAN AREA

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.104.006 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

**22.104.060 – San Miguel Community Standards**

The following standards apply within the urban reserve line of San Miguel, in addition to the requirements of Section 22.94.070.

**A. Communitywide standards.** The following standards apply within the San Miguel urban reserve line, regardless of the applicable land use category.

- 1. Site Plan Review required.** All new construction and exterior alteration of existing structures shall be approved per the process described in Subsection B - Prescriptive Site Plan Process, except for the following, which are subject to the permit requirements of the Land Use Ordinance unless otherwise specified:
  - a. Minor exterior alterations (as determined by the Planning Director).
  - b. Building expansions not exceeding 300 square feet, if approved by the Planning Director.
  - c. A new use proposed to occupy an existing development.
  - d. Single family residences, duplexes, and residential accessory structures.
  - e. Development for which a Conditional Use Permit is otherwise required by the Land Use Ordinance.
  - f. Projects in the San Lawrence Terrace neighborhood.
  - g. Projects, other than those in preceding items a through f, that do not comply with the provisions of Subsection B -- Prescriptive Site Plan process, shall require Minor Use Permit approval.
- 2. Prescriptive Site Plan process - criteria for approval.** The Planning Director may approve a Site Plan Review application, per Section 22.62.040, only when all of the following criteria have been met:

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- a. **Referral to San Miguel Advisory Council.** A referral has been provided to the San Miguel Advisory Council, and the Council has had a minimum of 14 days prior to their next regularly scheduled meeting to review and provide comments on the project.
  - b. **Standards.** The Site Plan application, in addition to the requirements of Section 22.62.040, addresses the applicable standards of this Chapter.
  - c. **Design Guidelines.** Residential multi-family projects are subject to Section 22.104.060.J.2 Commercial and industrial projects shall comply with a minimum of five of the design guidelines found in Section 22.104.060.C.3.
3. **Subdivisions.** In addition to those requirements established in Title 21 (Real Property Division Ordinance) of the County Code, the following standards shall be applied to new divisions of land:
  - a. **Fiber optics.** Installation of conduit for fiber optic connections to each parcel shall be required as part of the subdivision improvements.
  - b. **Road names.** Road names in new subdivisions shall reflect San Miguel's cultural history to the greatest extent feasible. Where possible names should be selected from the list contained in Appendix F of the San Miguel Community Plan.
  - c. **Access to a publicly maintained road.** A parcel is only eligible to be subdivided if it meets **one** of the following access criteria:
    - (1) The parcel to be subdivided directly accesses a publicly maintained road.
    - (2) The parcel to be subdivided is or will be accessed by a paved road under organized maintenance.
  - d. **Homeowners association.** New residential subdivisions in the Recreation and Residential Multi-Family categories consisting of five or more residential units shall include a homeowner's association or other mechanism (i.e. Community Services District) for the enforcement of covenants, conditions, and restrictions (CC&Rs) and parking regulations. The Review Authority may approve an adjustment to this standard, pursuant to Section 21.03.020 if they find that adequate enforcement measures are already addressed.
4. **Noise barriers.** If noise barriers are proposed in the Central Business District between 10th and 15th Streets, they should maintain a high-quality appearance and common design.
5. **Projects along the railroad.**
  - a. **Environmental site assessment.** A Phase II environmental site assessment is required for all projects within 135 feet of the railroad.
  - b. **Railroad barrier.** Fencing or a barrier is required at the railroad property line in order to deter trespass. The fencing/barrier must allow passage of San Joaquin kit fox and must conform with the County-approved "barrier design."

- c. **Noise disclosure.** As a condition of development approval, all projects within 135 feet of the railroad shall include a disclosure to potential buyers or tenants regarding the daytime and nighttime noise levels naturally occurring with nearby freight rail service.
  - d. **Exterior noise reduction.** Proposed residential development within 180 feet of the UPRR track shall be designed so that exterior use areas are shielded by walls or buildings to the extent feasible, in order to reduce exterior noise levels below the 60 dBA Ldn exterior threshold. Interior living spaces, particularly for multi-family dwelling units, shall comply with the interior 45 dBA Ldn standard.
6. **Street trees.** Street trees are required with all new development at a ratio of one tree for each 30 feet of street frontage. Trees shall be selected from the San Miguel Master Tree List, Appendix C of the San Miguel Community Plan.
7. **Residential uses in non-residential land use categories.** Residential uses existing prior to the adoption of the San Miguel Community Plan may continue and be expanded or remodeled as a primary use without the limitations imposed by Section 22.72.050 – Nonconforming Uses of Land and without being required to include commercial development.
8. **Art in Public Places.** Public art installed in conformance with the San Miguel Masters in Artful Places Program (Appendix E of the San Miguel Community Plan) is exempt from the requirements of Chapter 22.20 (Signs).
9. **Alternative stormwater management.** Any regulated project that cannot prepare a Stormwater Control Plan consistent with the requirements of Section 22.10.155 of the Land Use Ordinance, shall be addressed in a plan that incorporates an acceptable alternative compliance procedure as provided in Section 22.10.155.G. of the Land Use Ordinance and in Section B.6. of Attachment 1 to RWQCB Resolution No. R3-2013-0032. Approval by the Executive Director of the RWQCB shall be provided to the County Department of Planning and Building prior to the issuance of a building permit for any such regulated project. In the event the San Miguel Drainage Plan is updated and implemented, and is approved by the Executive Director of the RWQCB as an acceptable watershed or regional drainage plan for purposes of post-construction stormwater management, then this mitigation measure will be fulfilled.

Possible specific measures that may be components of an alternative compliance plan include an adjustment of up to 10 percent in the runoff retention standard that otherwise applies to post-construction stormwater management. Control of runoff through a specific offsite improvement may be acceptable in some projects. Use and justification of an alternate level of runoff control may be acceptable. The condition and flow characteristics of the receiving body of water, the Salinas River in this case, may influence the acceptability of an alternative compliance plan. Fulfilling objectives related to enhancing pedestrian-oriented and/or public transit-oriented development may also be a factor, although this would require approval of the San Miguel area as an "Urban Sustainability Area" prior to such consideration. This list is not exhaustive, since the RWQCB alternative compliance

provisions also allow for "Other situations as approved by the Central Coast Water Board Executive Officer (RWQCB Resolution No. R3-2013-0032, Attachment 1, Section C.4)

10. **Expansion of the Urban Reserve Line.** When the Urban Reserve Line is expanded, suitable land for community and neighborhood parkland, to allow for intensification of land use development, shall be identified.

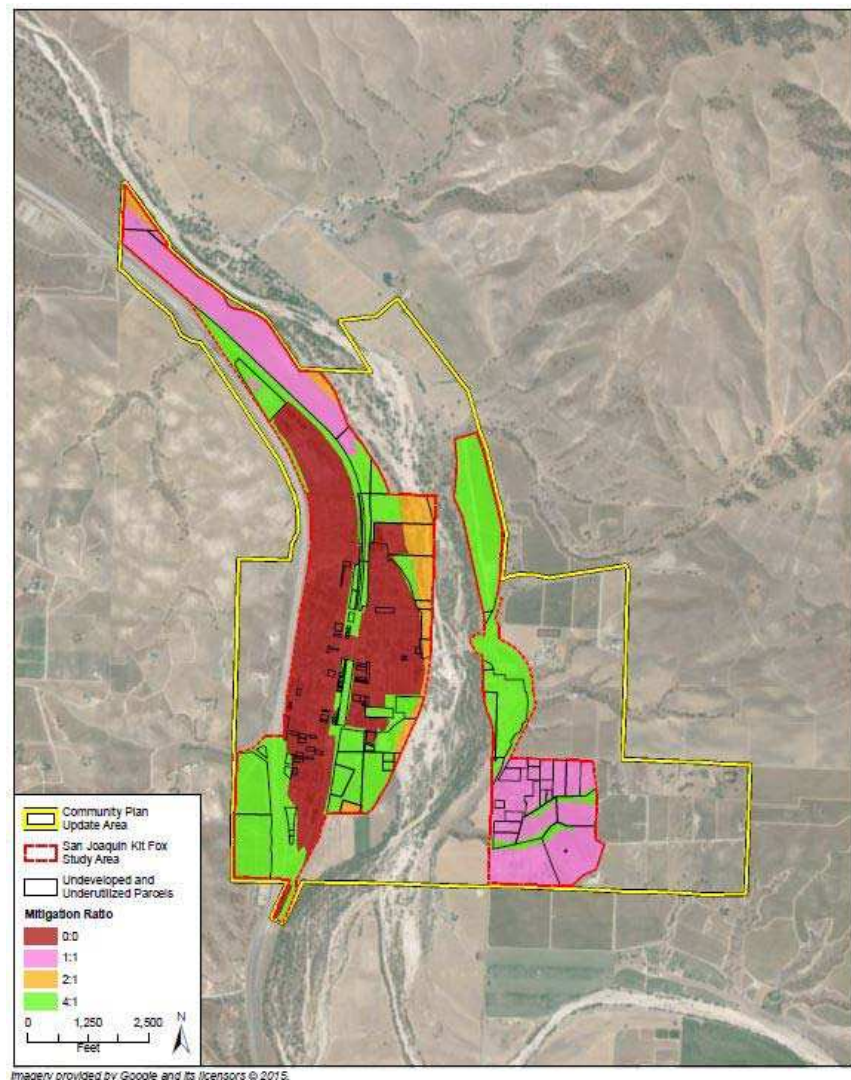
- B. **Environmental review.** Discretionary development projects seeking to rely on or tier off of the Environmental Impact Report for the San Miguel Community Plan shall be required to adhere to the following mitigation measures:

1. **Biological resources.**

- a. **Outdoor Lighting Design.** Outdoor lighting shall be designed to be minimally disruptive to wildlife. This may be accomplished through the use of hoods to direct light away from natural habitat, using low intensity lighting, and using a few lights as necessary to achieve the goals of the project.
- b. **Native tree removal.** If it is determined that construction may impact native trees protected by County, the applicant shall procure all necessary tree removal permits. Trees protected by the County include any existing trees within urban or village reserve lines with the exception of those stated in Section 22.56.020.A of the Land Use Ordinance. A tree protection plan shall be developed by a certified arborist as appropriate and in conformance with County standards regarding oak protection. The plan shall include, but would not be limited to, an inventory of trees to within the construction site, setbacks from trees and protective fencing, restrictions regarding grading and paving near trees, direction regarding pruning and digging within root zone of trees, and requirements for replacement and maintenance of trees. If protected trees will be removed, replacement tree plantings of like species in accordance with County standards. If a protected tree shall be encroached upon but not removed, a certified arborist shall be present to oversee all trimming of roots and branches.
- c. **Riparian setbacks.** New development shall be setback a minimum of 25 feet from the upland extent of the willow-cottonwood riparian forest associated with the Salinas River and its tributaries within the Plan area, unless a smaller setbacks is approved by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFW). For discretionary land use permits or land division application, larger setbacks could be determined by the County on a project-by-project basis, such as for occupied buildings, if deemed appropriate. The riparian setbacks do not apply to low impact (non-structural) features such as trails.
- d. The upland extent of the riparian vegetation shall be included on site plans, and be determined by a qualified biologist, if necessary
- e. **San Joaquin kit fox habitat loss.**

- (1) **Compensatory impact calculation.** The following compensatory mitigation ratios shall apply based upon the location of development as shown in Figure 4.4-6:

| <u>Color</u>  | <u>Description</u>  | <u>Mitigation Ratio</u> |
|---------------|---|-------------------------|
| <u>Red</u>    | <u>Low quality SJKF habitat within disturbed urban areas</u>                                  | <u>None</u>             |
| <u>Pink</u>   | <u>Developed rural areas</u>  | <u>1:1</u>              |
|               | <u>Agricultural areas currently in vineyard production</u>                                    |                         |
| <u>Orange</u> | <u>Agricultural forage production areas</u>   | <u>2:1</u>              |
|               | <u>All other areas consisting of medium quality habitat associated with the Salinas River</u> |                         |
| <u>Green</u>  | <u>High quality habitat</u>   | <u>4:1</u>              |



The number of compensatory acres required shall be determined by multiplying the area impacted by the project by the appropriate mitigation ratio identified in the table above.

- f. **Special Status Species Habitat Loss Minimization.** The County shall work with future applicants to encourage preservation or enhancement of upland habitat for wildlife species to the maximum extent feasible on parcels slated for development containing suitable habitat (e.g. areas used for foraging, breeding, dispersal, etc.). To the extent feasible, habitat preservation and enhancement should be encouraged throughout the CPU area in a way that promotes regional connectivity by siting preserved or enhanced areas in a way that they are connected to other preserved or enhanced areas and/or suitable habitat to the extent feasible. Siting of preserved or enhanced areas in a way in which they are isolated should be discouraged.
- g. **Biological Resources Assessment, Discretionary Projects.** Discretionary land use permits and land division applications shall include a biological resources assessment (BRA) to document the existing biological resources within the project footprint plus any necessary buffer to determine potential impacts to those resources. The BRA shall be conducted by a County-approved biologist and conform to the requirements set forth in the County guidance document, Guidelines for Biological Resources Assessments - Guidelines for Biological Consultants.
- (1) **Special Status Plant Species Surveys.** If the BRA determines that special status plant species may occur on-site, surveys for special status plants shall be completed. The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species identified in the BRA. All plant surveys shall be conducted by a County-approved biologist no more than two years before initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the County if said protocols exist. A report of the survey results shall be submitted to the Department of Planning and Building, and the CDFW and/or USFWS, as appropriate, for review and approval.
- (a) **Special Status Plant Species Avoidance, Minimization, and Mitigation.** If Federal listed, State listed or California Rare Plant List 1B species are found during special status plant surveys, then the project shall be re-designed to avoid impacting these plant species, if feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits of construction shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a County-approved biologist, to protect them from direct and indirect impacts.
- (b) **Restoration and Monitoring.** If special status plant species cannot be avoided, all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species. A restoration plan shall be prepared and submitted to the County as well as other State or Federal agencies as appropriate. The restoration plan shall include, at a minimum, the following components:



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- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
  - Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
  - Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
  - Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan);
  - Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule);
  - Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
  - Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type;
  - An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
  - Notification of completion of compensatory mitigation and agency confirmation; and
  - Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).
- (2) **Special Status Species Habitat Assessment and Protocol Surveys.** If the results of the BRA determine that suitable habitat may be present for special status species, prior to issuance of construction permits, protocol habitat assessments/surveys shall be completed in accordance with California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFW), and County, protocols, as applicable. If through consultation with the CDFW and/or USFWS it is determined that protocol habitat assessments/surveys are not required, said consultation shall be documented prior to issuance of any construction permits. Each protocol has different survey and timing requirements. Applicants for each project shall be responsible for ensuring that the protocol requirements are followed.
- (a) **Special Status Species Avoidance and Minimization.** Based on the results of the Special Status Species Habitat Assessment and Protocol Surveys required by BIO-1(f), the following measures may be applied to aquatic and/or terrestrial species and should be applied to each project, as applicable. It should be noted that if an Endangered or Threatened species may be impacted by a given project, the CDFW and/or USFWS would likely require additional permits to authorize take under the Federal Endangered Species Act and California Endangered Species Act. These permits could also include



additional measures and requirements in which project applicants will need to comply with:

- Ground disturbance shall be limited to the minimum necessary to complete the project. The project limits of disturbance shall be flagged. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
- All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species.
- Pre-construction clearance surveys shall be conducted within 14 days of the start of construction (including staging and mobilization) by a County-approved biologist. The surveys shall cover the entire disturbance footprint plus a minimum 200 foot buffer, if feasible, and shall identify all special status animal species that may occur on-site. All non-listed special status species shall be relocated from the site either through direct capture or through passive exclusion (e.g., American badger). The results of the pre-construction survey shall be submitted to the County and construction shall not commence without authorization from the County.
- All projects occurring within or adjacent to sensitive habitats that may support special status species shall have a County-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for Endangered/Threatened species, as appropriate. Alternatively, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are begin fully implemented.
- No Endangered/Threatened species shall be captured and relocated without expressed permission from the CDFW and/or USFWS.
- If at any time during construction of the project an Endangered/Threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.
- All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.
- At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
- Upon completion of the project, a qualified biologist shall prepare a Final Compliance report documenting all compliance activities implemented for the project, including the pre-construction survey results. The report shall be submitted to the County within 30 days of completion of the project.

- If special status bat species may be present and impacted by the project, a qualified biologist shall conduct within 30 days of the start of construction presence/absence surveys for special status bats in consultation with the CDFW where suitable roosting habitat is present. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, structures and other areas where bats may roost. If active roosts are located, exclusion devices such as netting shall be installed to discourage bats from occupying the site. If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. If the maternity colony cannot be avoided, projects shall be redesigned to avoid the colony. If redesign is not feasible the maternity colony can only be removed in consultation with and authorization from the County and CDFW. For State listed bat species in addition, a maternity colony can only be removed if authorized by the CDFW and covered under an incidental take permit.
- (3) **Worker Environmental Awareness Program (WEAP).** Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a County-approved biologist, to aid workers in recognizing special status resources that may occur in the project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the County to document compliance.
- (4) **Preconstruction Surveys for Nesting Birds.** For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County-approved biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire segment disturbance area plus a 500 foot buffer around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A County-approved biologist shall confirm that breeding/nesting is completed

and young have fledged the nest prior to removal of the buffer. The results of the pre-construction survey shall be submitted to the County and construction shall not commence without authorization from the County.

**2. Cultural resources.**

- a. **Cultural Resource Protection.** Where cultural resources have been identified and preservation is not feasible, the significance of each resource shall be evaluated according to current professional standards and appropriate mitigation measures shall be implemented prior to County approval of any development. Mitigation may include, but not be limited to, data recovery and graphic documentation (photographs, drawings, etc.).

Alterations and/or the adaptive reuse of historical resources shall conform to the Secretary of the Interior's Standards. Prior to a project's approval, the County should confirm that a proposed project that contains a historical resource will conform to the Secretary of the Interior's Standards, or implement other feasible mitigation measures such that significant adverse impacts on historic resources will be reduced or avoided.

- b. **Historical Resource Protection, Discretionary Projects.** For discretionary land use permits and land division applications involving historical resources, alterations and/or the adaptive reuse of historical resources shall conform to the Secretary of the Interior's Standards, or implement other feasible mitigation measures such that significant adverse impacts on historic resources will be reduced or avoided.

- c. **Historical Resource Protection. At the time of application for discretionary land use permits, subdivisions, or construction or demolition permits** that involve the demolition, substantial alteration, or relocation of buildings or structures that were identified in the Historic Resources Inventory found in Appendix X, the applicant shall retain a historian or architectural historian who meets the Secretary of Interior's Professional Qualifications Standards to document and evaluate the historical significance of the affected buildings or structures. If such documentation and evaluation indicates that the building or structure qualifies as a significant historical resource, further documentation to reduce impacts to the historical resource shall be provided, including but not limited to archival quality photographs, measured drawings, oral histories, interpretive signage, and/or other measures.

- d. **Archeological Resource Protection, Discretionary Projects.** At the time of application for discretionary land use permits or land division applications that will involve any grading, trenching, or other ground disturbance, the applicant shall retain a County qualified Registered Professional Archaeologist to complete a Phase 1 archaeological inventory of the project site. In addition to the surface survey, the inventory shall include sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present.

Any prehistoric or historic archaeological remains so identified shall be evaluated for significance and eligibility to the California Register of Historic Resources (CRHR). Phase 2 evaluation shall

include any necessary archival research to identify significant historical associations as well as mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit to characterize the nature of the sites, define the artifact and feature contents, determine horizontal boundaries and depth below surface, and retrieve representative samples of artifacts and other remains. Any excavation at Native American sites shall be monitored by a tribal representative. Cultural materials collected from the sites shall be processed and analyzed in the laboratory according to standard archaeological procedures. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)". Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the Repository for Archaeological and Ethnographic Collections of the University of California, Santa Barbara, or another facility approved by the Environmental Coordinator.

If any of the resources meet CRHR significance standards, then all feasible recommendations for mitigation of archaeological impacts shall be incorporated into the final design and any permits issued for development. Any necessary data recovery excavation shall be carried out by a County qualified Registered Professional Archaeologist according to a research design reviewed and approved by the County Environmental Coordinator prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof.

New recreational sites (parks, trails, and related developments) shall be sited and designed to avoid impacts to archaeological and historical resources. Prior to approval of grading permits, proposed recreation sites should be surveyed and redesigned where necessary to avoid archaeological or historical resources, subject to final approval by the County Environmental Coordinator.

- e. **Paleontological Resource Construction Monitoring.** Excavations that will exceed five feet in depth in areas shown in Figure 104-1 shall be monitored by a qualified paleontological monitor. The frequency of monitoring shall be determined by the paleontologist. If no fossils are observed during the first 50 percent of excavations that exceed three feet in depth, or if the paleontologists can determine that excavations are not disturbing Pleistocene or Pliocene aged sediments, then the frequency of monitoring may at the discretion of the paleontologist.

**Fossil Salvage.** If fossils are discovered, then work shall be stopped to allow a qualified paleontologist to recover the fossils. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.



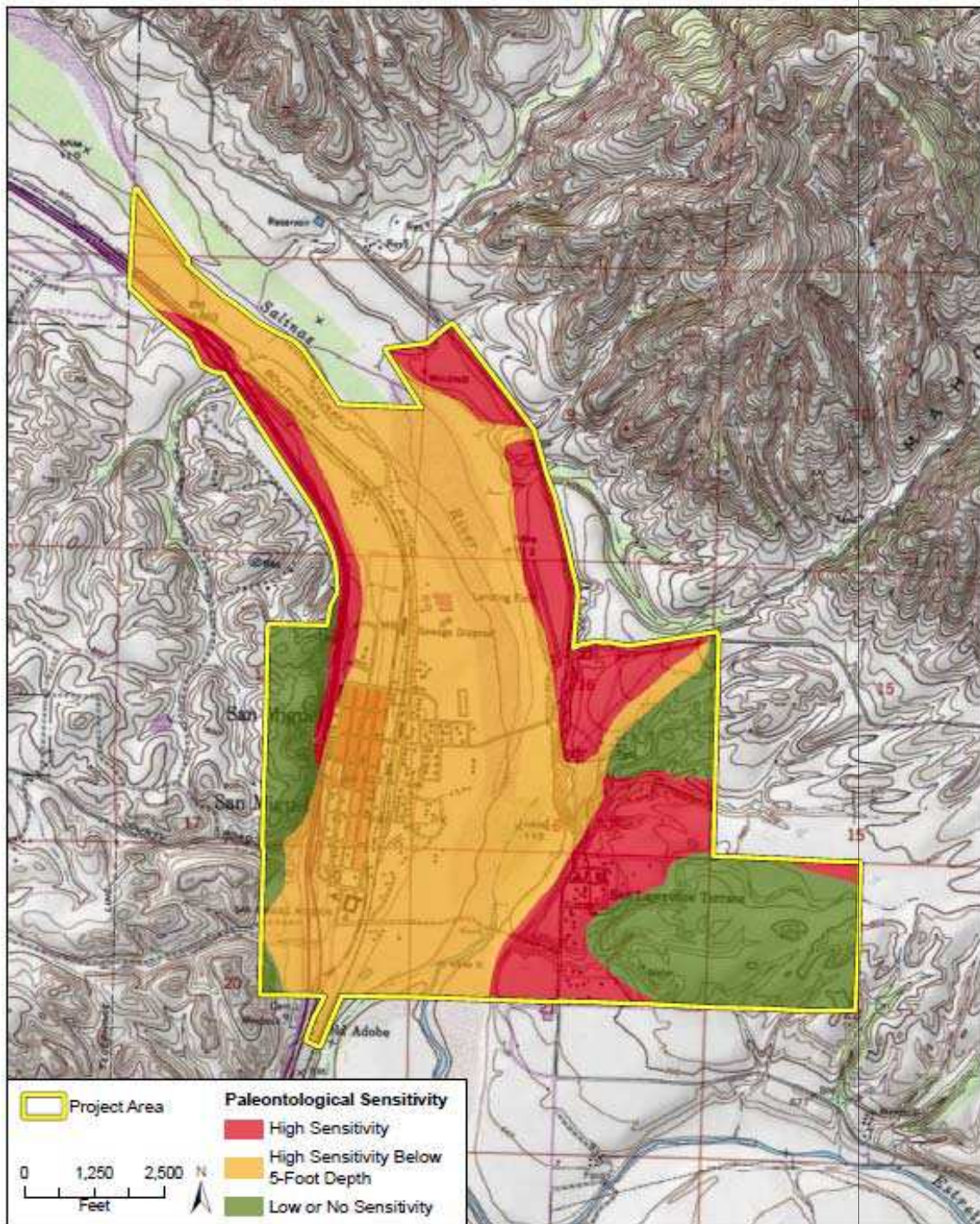


Figure 104-1 - Paleontological Sensitivity

**3. Construction and grading activities.**

- a. **Construction equipment emissions reduction.** Construction projects shall implement the following emissions control measures in accordance with San Luis Obispo Air Pollution Control District (SLOAPCD) and California Air Resources Board (ARB) regulations.
- (1) Maintain all construction equipment in proper tune according to manufacturer's specifications;
  - (2) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
  - (3) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
  - (4) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
  - (5) Construction or tucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in c and d above (e.g captive or NOx exempt are fleets) may be eligible by proving alternative compliance;
  - (6) All on and off-road diesel equipment shall no idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
  - (7) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
  - (8) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
  - (9) Electrify equipment when feasible;
  - (10) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
  - (11) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
- b. **Fugitive dust control measures.** Construction projects shall implement the following dust control measures so as to reduce PM10 emissions in accordance with San Luis Obispo Air Pollution Control District (SLOAPCD) requirements.
- (1) Reduce the amount of the disturbed area where possible;
  - (2) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
  - (3) All dirt stick pile areas should be spraying daily as needed;
  - (4) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
  - (5) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

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- (6) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLO APCD;
  - (7) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible after grading unless seeding or soil binders are used;
  - (8) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
  - (9) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
  - (10) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
  - (11) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
  - (12) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
  - (13) The contractor or build shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
- c. **Valley Fever exposure reduction.** For all projects requiring a grading permit, property owners and applicants shall incorporate applicable recommendations from the Public Health Department regarding recognition and control of Valley Fever in safety plans and worker training material.
- d. **Construction Best Management Practices (BMPs) during construction.** The following best management practices shall be required for development within or adjacent to jurisdictional areas.
- (1) Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and construction areas outside of jurisdictional areas to the maximum extent feasible.
  - (2) To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.
  - (3) Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year to the extent practicable, or as otherwise directed by the regulatory agencies.
  - (4) During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.



- (5) All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.
    - (6) Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.
    - (7) All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet from bodies of water where possible, and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Reduced distances shall be approved by the County. Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.
  - e. **Noise and vibration reduction plan.** Projects that involve grading, demolition, and/or construction on lots adjacent to occupied residential structures shall implement the following applicable performance standards to ensure that sensitive receptors are not adversely impacted by construction related noise:
    - (1) Shield especially loud pieces of stationary construction equipment;
    - (2) Locate portable generators, air compressors, etc. away from sensitive noise receptors;
    - (3) Limit grouping major pieces of equipment operating in one area to the greatest extent feasible.
  4. **Noise Study, Discretionary Projects. For discretionary land use permits or land division applications** where new development would be located adjacent to existing residential uses, a site specific noise study should be conducted to demonstrate compliance with the County noise standards in the Land Use Ordinance (Section 22.10.120). For this section, "adjacent" includes properties immediately bordering the existing use where the existing structures are within 50 feet of the project site. This study shall determine the area of impact and present appropriate mitigation measures.
- Combining Designations.**
1. **Flood Hazard (FH).** The following standards apply within the Flood Hazard combining designation:
    - a. **Residential density.** Flood Hazard-designated areas shall not be included in density, maximum lot coverage, and minimum open area requirements pursuant to Section 22.10.130 (Residential Density).
    - b. **Density in cluster subdivisions.** Flood Hazard-designated areas shall not be included in the gross site area used to determine density in cluster subdivisions pursuant to Section 22.22.140 (Cluster Divisions).

- c. **Sensitive Communities Minimization.** To the maximum extent feasible, trail development should be designed to avoid impacts to willow-cottonwood riparian forest. All areas that can be avoided shall be demarcated in the field with highly visible orange construction fencing wherever possible to protect this vegetation community that will not be impacted during construction. A County-approved botanist shall provide oversight during the installation of the fence and he or she or a designee (e.g., construction foreman) will return to the site once a week during the duration of construction activities to ensure that the fence remains intact.
  - d. **Willow-cottonwood Riparian Forest Restoration and Monitoring.** If trail development, notably the proposed Airport Loop Trail and Salinas River Trail, cannot avoid impacts to this vegetation community, a County-approved biologist shall prepare a Habitat Restoration Plan in accordance with the requirements described in Mitigation Measure BIO-1(e) of the CPU EIR. Compensatory mitigation ratios for this vegetation community shall be a minimum of 2:1 ratio (area restored/created/enhanced: area lost). Mitigation for loss of or trimming of trees shall be done according to the tree removal and trimming standards set forth by the County.
  - e. **Jurisdictional Delineation.** If future trail development occurs within or adjacent to wetlands, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, and/or RWQCB, a County-approved biologist shall complete a jurisdictional delineation. The jurisdictional delineation shall determine the extent of the jurisdiction for each of these agencies and shall be conducted in accordance with the requirement set forth by each agency. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the County, USACE, RWQCB, and CDFW, as appropriate, for review and approval.
  - f. **Jurisdictional Waters and Wetlands Restored.** Impacts to jurisdictional waters and wetlands shall be mitigated at a minimum ratio of 2:1 (area restored/created/enhanced: area lost), which is typically the standard for the USACE and RWQCB; but it should be noted that these agencies could request more mitigation during the permitting process. Furthermore, the CDFW mitigation ratios typically range between 3:1 and 5:1 for temporary and permanent impacts, respectively. Mitigation shall occur on-site or as close to the impacted habitat as possible. A mitigation and monitoring plan shall be developed by a County-approved biologist in accordance with the requirements described in BIO-1(e) of the CPU EIR.
- D. **Commercial, industrial, recreation, and mixed use developments.** The following standards apply to commercial, industrial, recreation, and mixed use developments in any land use category where such a use is allowable:
- 1. **Parking requirements.**
    - a. **New commercial development – Mission Street between 11<sup>th</sup> and 14<sup>th</sup> Streets.** New commercial development shall provide parking at a ratio of 1 space per 1,000 gross square feet of commercial building space.

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- b. **Waiver of parking requirements – West side of Mission between 11<sup>th</sup> and 16<sup>th</sup> Streets.** Uses in existing commercial buildings on the west side of Mission Street between 11<sup>th</sup> and 16<sup>th</sup> Streets are exempt from parking requirements.
- c. **Reduction of required parking – Mission Street north of 14<sup>th</sup> Street or south of 11<sup>th</sup> Street.** On-site parking required by the Land Use Ordinance may be reduced by the number of on-street parking spaces fronting the property.
- d. **Residential uses in commercial areas.** Regardless of the parking reductions allowed for commercial uses, off-street parking shall be provided for all residential uses based on Land Use Ordinance requirements.

**2. Mission Street - commercial and mixed use development standards.** The following standards apply to all commercial and mixed use development proposed in the Commercial Retail land use category along Mission Street.

- a. **Setbacks.**
  - (1) **West side of Mission Street between 11<sup>th</sup> and 14<sup>th</sup> Streets.** Except as provided by Subsection 2.a(3), buildings shall be located at the front property line and extend completely to the side property line.
  - (2) **East side of Mission Street between 11<sup>th</sup> and 14<sup>th</sup> Streets.** Except as provided by Subsection 2.a(3), the front setback is six feet (6') and the buildings shall extend completely to the side property lines. The rear setback is five feet (5').
  - (3) **Exceptions to front and side setback requirements.** Front and side setbacks may be larger than otherwise required by Subsections B.2.a and B.2.b. as follows:
    - (a) Side setbacks may be greater than zero feet (0') in order to provide pedestrian access from a parking lot located at the rear of the lot.
    - (b) A front setback may be greater than zero feet (0') if the additional setback is useable by the public as an extension of the sidewalk or by customers as an outdoor dining area.
    - (c) The second floor may be setback from the Mission Street lot line to provide a porch or balcony.
- b. **Height limit.** The maximum height is two stories, except that three stories are allowable when the fire agency has approved a fire safety clearance letter affirming its ability to provide fire suppression services. Regardless of the number of stories, no structure shall exceed the height limits established in Title 22.

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- c. **Driveways to Mission Street prohibited.** Sites with access to a rear alley or a side street shall not be allowed driveway access from Mission Street, in order to preserve on-street parking. The Public Works Director may approve an adjustment to this standard in order to accommodate temporary parking facilities.
- d. **Prohibited building materials.** Exposed concrete block, highly reflective surfaces, reflective glass, glass block, metal siding, painted brick, plastic, and unpainted/un-anodized aluminum are prohibited building materials.
- e. **Pole signs prohibited.** Pole signs are not allowed.
- f. **Tree planting required.**
  - (1) Tree planting is required for all new commercial developments involving a Minor Use Permit or Conditional Use Permit.
  - (2) Trees within commercial landscapes shall be selected from the San Miguel Master Tree List, in Appendix B of the San Miguel Community Plan.

### 3. Commercial and industrial design guidelines.

- a. **Rear setback – west side of Mission Street between 11<sup>th</sup> and 14<sup>th</sup> Streets.** The rear setback should be large enough to allow efficient use of the site for parking and circulation in conjunction with the parking and circulation layout on adjoining parcels.
- b. **Parking layout.**
  - (1) **West side of Mission Street between 11<sup>th</sup> and 14<sup>th</sup> Streets.** Parking spaces and parking circulation aisles should allow for vehicular circulation between parcels.
  - (2) **East side of Mission Street between 11<sup>th</sup> and 14<sup>th</sup> Streets.** Site design should anticipate future site area (e.g. Union Pacific lands) for parking.
  - (3) **Mission Street north of 14<sup>th</sup> Street or south of 11<sup>th</sup> Street.** On-site parking should be located at the rear of the parcel. Parking may be located at the side only where there is a solid wall along the street-fronting property line to maintain façade continuity.
  - (4) **Loading zones.** Commercial projects should designate loading zones as part of the permit approval process. Loading zones should be selected so as not to block line-of-sight for vehicles traveling within the public right-of-way.
- c. **Height and proportion.** Along Mission Street, a building's height should be no greater than the building's width.
- d. **Roofs.** Along Mission Street, roofs should be consistent with surrounding commercial buildings: shallow-pitch gable with parapet wall facing the street.

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- e. **Pedestrian scale details.** Buildings should include:
  - (1) Facade articulation: cornices, moldings, overhangs, awnings
  - (2) Plenty of windows and door glazing to display merchandise.
  - (3) Recessed building entries.
- f. **Preferred building materials.** Materials that evoke the design themes of the mission or early railroad era are encouraged. These include natural finish or painted wood, stucco, unpainted brick, wood window frames and moldings, and mission tile roofs.
- g. **Signage.** Signs should be consistent with the mission, early railroad, or pre-1950s design themes. Signs should not be made of plastic. They should not be internally lighted (neon tubing is okay). Signs should be directly illuminated with building-mounted light fixtures. Signage perpendicular to building facades is encouraged.
- h. **Exterior lighting.** Exterior light fixtures should be designed to direct light away from roads, streets, or dwelling units.

### E. Commercial Retail (CR) land use category.

1. Loading zones. All applications for Site Plan, Minor Use Permit, or Conditional Use Permit shall include an analysis of how truck loading will be accommodated.
2. Residential uses in mixed-use developments. Mixed use developments that combine residential uses with commercial uses are encouraged along Mission Street. Through the Conditional Use Permit process, the Review Authority may authorize multi-family dwellings as a principal use, provided the following standards are met:
  - a. Commercial uses shall occupy a minimum of 25 percent of the project's floor area.
  - b. At least 50 percent of ground floor space shall be reserved for commercial storefronts. The commercial storefronts shall front Mission Street.
  - c. All ground floor spaces are to be designed to accommodate commercial occupancy.
  - d. A town square has been designated on the east side of Mission Street at the terminus of 13<sup>th</sup> Street. The ground floor of any development in this area shall be reserved for commercial uses.
3. **Cemetery Road (Figure 104-2).** The following standards apply to the Cemetery Road site, as shown on Figure 104-2.



**Figure 104-2 - CR - Cemetery Road site**

- a. **Limitation on use.** Only the following uses are allowed on the Commercial Retail (CR) portion of the site:

Accessory storage  
Bars and night clubs  
Convenience and liquor stores  
Gas stations  
Grocery stores and general retail  
Lodging  
Offices  
Outdoor retail sales  
Personal services  
Religious facilities  
Small-scale manufacturing (artisan or craftsman uses in conjunction with the retail sale of items manufactured on site)  
Wireless communication facilities

- b. **Conditional Use Permit required.** A Conditional Use Permit is required prior to development of any uses on the site. The Conditional Use Permit shall encompass both the Commercial Retail (CR) and Commercial Service (CS) portions of the site and address the following factors:

Permit is required prior to development of any uses on the site. The Conditional Use Permit shall encompass both the Commercial Retail (CR) and Commercial Service (CS) portions of the site and address the following factors:

- (1) Site planning shall locate buildings situated around plazas or courtyards that are designed to attract pedestrian movement and sitting, with vehicle circulation, storage and utilities located elsewhere on the perimeter. Landscaped sidewalks shall be utilized that are separated from vehicle circulation and loading. Parking lots shall be limited in size by separating them into sub-areas divided by landscaping or structures.
- (2) Reduction of visual and noise impacts by buffering uses from Highway 101.
- (3) Buffering commercial uses from adjacent residential and agricultural uses.
- (4) On-site circulation that minimizes and separates truck and RV traffic from other vehicular traffic.
- (5) A traffic study that demonstrates the proposed project will not generate traffic to where the level of service (LOS) for the Highway 101/10th Street interchange would exceed LOS D for the year 2035 with the projected level of development under the San Miguel Community Plan.

F. **Commercial Service (CS) land use category.**

1. **Limitation on use.** The following uses are prohibited: concrete, gypsum, and plaster products.
2. **N Street area (Figure 104-3).** The following standards apply to the Commercial Service land use category along N Street, south of 14<sup>th</sup> Street/River Road, as shown in Figure X-X:



Figure 104-3 - CS - N Street Area

- a. **Limitation on use.** The following uses are prohibited: agricultural processing, horse ranches, recycling – scrap and dismantling, and truck stops.
- b. **Residential compatibility.** All commercial development shall incorporate measures to assure compatibility with nearby residences (including on-site caretaker units), with regard to impacts associated with, but not limited to, noise, vibration, odor, light, glare, hazardous materials, truck traffic, exhaust, unsightliness, or hours of operation. Land use permit applications shall include a description of activities that may be incompatible with residential neighbors and measures to avoid or mitigate those incompatibilities. This may require the applicant to submit special studies, such as a noise study, to address the issue(s).
- c. **Architecture.** Building massing and architectural style shall be compatible with adjacent residential development in appearance when viewed from N Street.
- d. **Outdoor storage location.** Outdoor storage is limited to the interior or rear portion of the site, and it shall be screened from off-site views.
- e. **Residential caretaker units.**
  - (1) Caretaker units are not subject to the size limitation found in Section 22.30.430F.



- (2) If access easement can be obtained, access to the caretaker unit shall be from a private road as shown in Figure 3-O of the Community Plan.

- (3) Adequate on-site parking shall be provided.

- (4) Useable outdoor space shall be provided for the caretaker unit.

3. **Cemetery Road (Figure 104-2).** The following standards apply to the Cemetery Road site, as shown on Figure 104-2.

a. **Limitation on use.**

All uses allowed in the Commercial Service land use category may be

established on the CS-designated portion of the site except the following:

Apparel products

Farm equipment supplies and sales

Fuel dealers

Laundries and dry cleaning plants

Outdoor storage yards

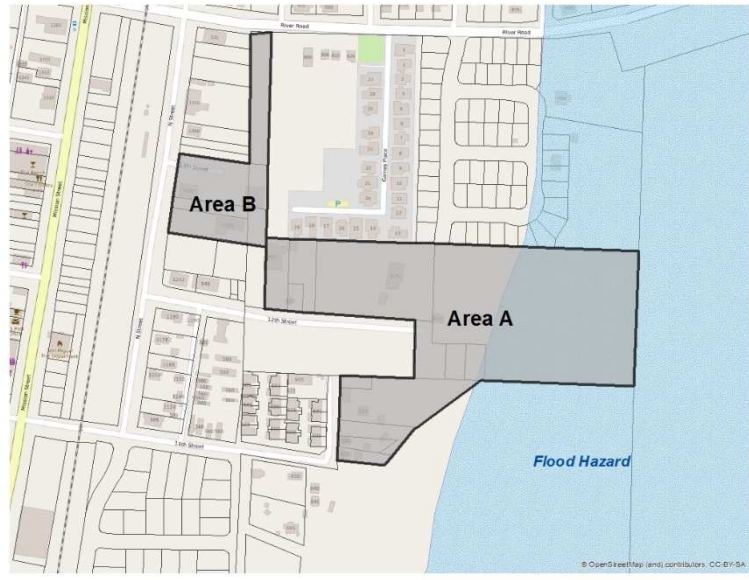
Retail uses greater than 9,999 square feet, except where the Review Authority finds the CR portion of the site cannot accommodate the proposed use

Sales lots

Swap meets

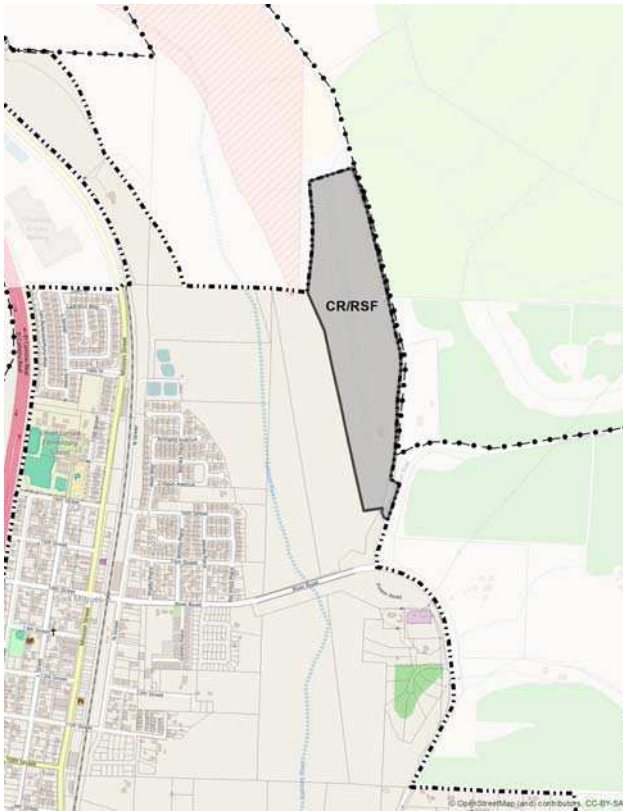
Truck stops

- b. **Conditional Use Permit required.** A Conditional Use Permit is required prior to development of any uses on the site.



**Figure 104-4 - Conceptual Development - N Street Area**

- G. **Commercial Service / Residential Single Family (CS/RSF) land use category – Indian Valley Area (Figure 104-5).** The following standards apply only to the Indian Valley site, as identified in Figure 104-5.



**Figure 104-5 - CS/RSF - Indian Valley Area**

1. **Extension of water and sewer services.** Prior to development of the project site, the landowner shall work with San Miguel Community Services District to determine how extension of water and sewer services will be funded and phased.
2. **Project intensity – on-site septic systems.** Prior to extension of the sewer system to the east side of the river residential parcels shall be limited to either 20,000 square feet or one acre in size based on the "sewer test" of Section 22.22.080.C, and commercial development shall be limited to on-site septic system requirements of the individual uses proposed. Community water shall be required.
3. **Project intensity – community sewer.** Extension of the sewer is envisioned for this site and is required for development at a greater intensity than allowed above (i.e., residential lots smaller than 20,000 square feet or commercial uses with a high number of employees).
4. **Residential location.** Bluff lots overlooking the Salinas River are encouraged.
5. **Separation between residential and commercial uses.** Separation between the commercial uses and residential shall be provided, including solid walls, landscape buffers, and street rights-of-way. Access to commercial uses shall not be from the residential streets.
6. **Trail dedication.** A perimeter trail consistent with the County Trails plan shall be dedicated with the first land division.
7. **Parkland required.** Parkland shall be provided in a location that is accessible to the on-site residents and the general community. The parkland shall include active-use areas and a connection to the perimeter trail.
8. **Farmland Conservation.** Prior to the recordation of a final map, issuance of a grading permit, or issuance of a construction permit, whichever comes first, for urban development on the Indian Valley Road site (Figure 3-M), the applicant shall do the following:

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- a. Submit evidence to the County Department of Planning and Building that funds have been paid, as determined sufficient by the Agricultural Commissioner or designee to purchase a farmland conservation easement, deed restriction, or other farmland conservation mechanism, which will provide for the conservation of farmland, within the same agricultural region in San Luis Obispo County of similar quantity and quality, to the farmland being converted on the Indian Valley Road site, based on a 1:1 ratio.
  - b. As approved by the Agricultural Commissioner or designee, the applicant shall pay to the California Farmland Conservancy Program or similar program compensation for the administrative costs incurred by the implementation of this standard.
9. **Soil Sampling and Remediation, Application Content.** For the first discretionary land use permit or land division application for urban development on the Indian Valley Road site as shown in Figure 3-M, the applicant shall submit a contaminated soil assessment. Soil samples shall be collected under the supervision of a professional geologist or professional civil engineer to determine the presence or absence of contaminated soil on the site. Soil analysis and sampling density shall be in accordance with guidance from San Luis Obispo County Environmental Health Services. If soil sampling indicates the presence of pesticides exceeding applicable environmental screening levels, the soil assessment shall identify the volume of contaminated soil to be excavated.
- If concentrations of contaminants warrant remediation, contaminated materials shall be remediated prior to grading and construction activities, and an Environmental Site Assessment shall be prepared. The remediation program shall also be approved by a regulatory oversight agency, such as the County Environmental Health Services, the Regional Water Quality Control Board, or the Department of Toxic Substances Control.
10. **Preliminary Endangerment Assessment, Application Content.** Due to the cleanup status and the potential presence of unknown contaminants of concern associated with the San Miguel Rec Site and San Miguel War Housing Project cleanup sites (as shown on Figure X.X), applicants for building plans or grading permits for development within 500 feet of these sites shall include a Preliminary Endangerment Assessment (PEA) or equivalent. The evaluation shall include a determination of whether no further action, removal, remedial action, or further extensive investigation of the site is necessary.
- H. **Industrial (IND) land use category – Limitation on use.** Land uses within the Industrial category shall be limited to: offices; accessory storage; storage yards; vehicle and freight terminals; and warehousing.



**Figure 104-6 - REC - Southern Gateway / Mission San Miguel Area**

**I. Recreation (REC) land use category.**

**1. Southern gateway / Mission San Miguel area.**

- a. **Mission properties east of the railroad tracks (Figure 104-6) – Limitation on use.** Land uses on mission lands east of the railroad tracks shall be limited to religious facilities, libraries and museums, outdoor sports and recreation, temporary events, or other similar uses that can be found compatible and consistent with existing cultural resources.

- b. **Between the mission and Highway 101 (Figure 104-7) – Design guidelines.** Development between Highway 101 and the mission should not detract from views of the mission buildings as seen from the freeway. Building height, roof design, roofing materials and signage are the most important considerations. Building height should be limited to one story, buildings should have gable roofs and mission tile, and pole signs should not be allowed.



**Figure 104-7 - REC - Between the Mission and Highway 101**

2. **N Street (Figure 104-8) – Limitation on use.** Land uses along N Street within the Recreation category shall be limited to: Equipment rental - non-motorized; indoor amusement and recreation facilities; museums; outdoor retail sales; public parks and playgrounds; recycling - collection stations; temporary events; and vehicle storage (parking lots or structures).



**Figure 104-8 – REC – N Street**

3. **East end of 11<sup>th</sup> Street (Figure 104-9).**

- a. **Land uses.** The East 11<sup>th</sup> Street area is primarily intended for residential development. The community plan envisions a mix of housing types, but also allows for recreational uses such as equestrian facilities. Only those land uses identified in Section 22.06.030 for the Recreation land use category may be authorized, except the following:

Mines and quarries

Recycling collection stations

Off-road vehicle courses

Automobile service stations/ Gas stations



Outdoor retail sales

Storage – outdoor storage yards

Temporary construction yards (off-site)

Transit stations and terminals

Vehicle storage

- b. **Residential Density.** The overall residential density shall be that of the single family land use category - 5.5 to 7.0 units per acre net (excluding the Flood Hazard [FH] zone). The FH may be used as open space or as usable yard area for lots fronting on the river. Residential structures west of the Verde Place extension (in Figure 3-N of the Community Plan) shall resemble single family dwellings with a maximum of four units per building.



Figure 104-9 - REC - East End of 11<sup>th</sup> Street

4. **West Side of N Street**

- a. Residential development is prohibited along the west side of N Street.  
(Graphic Needed)

J. **Residential Single Family (RSF) land use category.**

1. **Curbs, gutters, and sidewalks.** Required for all development in the RSF land use category, except in the “blanket waiver area” shown in Figure 104-10 below.



**Figure 104-10 - RSF - Curb, Gutter, and Sidewalk Blanket Waiver Area**

2. **Parking where an access.** New single-development with an access is required to have two on-site parking spaces in addition to those normally required in order to compensate for the lack of street parking. These spaces may be located in the setback from an alley. alley is primary family residential alley as its primary
3. Setbacks for parcels fronting only an alley. Parcels with no street frontage other than an alleyway shall maintain the following setbacks:
  - a. A minimum of 20 feet from the alley, in order to accommodate parking between the structure and the alley.
  - b. A minimum of 5 feet from parcel lines perpendicular to the alley.
  - c. A minimum of 10 feet from the parcel line parallel to and opposite the alley frontage.
4. **Mission Gardens site (Figure 104-11).** The following standards apply only the Mission Gardens site, as shown in Figure 104-11.



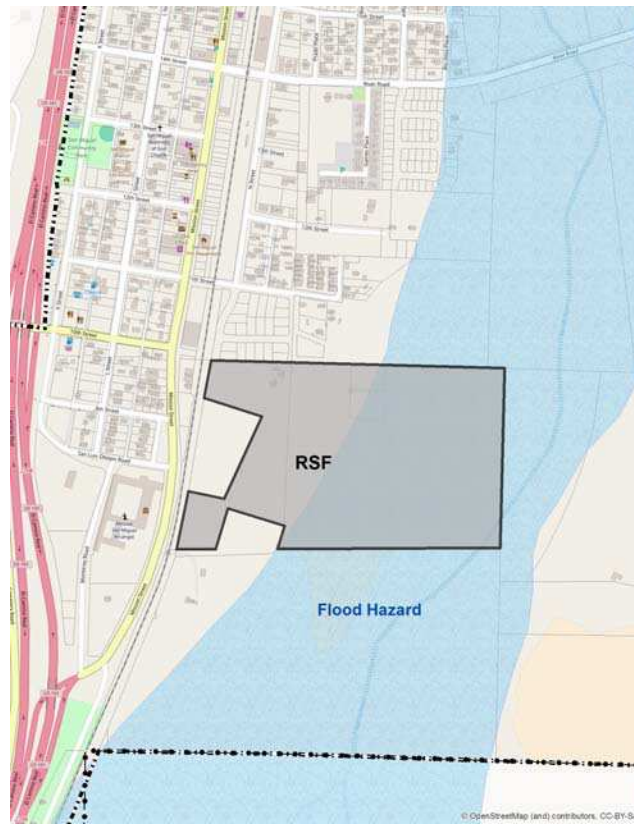


Figure 104-11 – RSF – Mission Gardens Site

- a. **Density limitation.** Maximum number of residential parcels is limited to 60.
  - b. **Cluster requirement.** Land divisions shall be clustered west of the Flood Hazard (FH) combining designation.
  - c. **Open space requirement.** Flood hazard areas and areas reserved to reduce noise, protect visual resources, or to preserve cultural resources shall remain in open space.
5. **Mission Vineyard Estates site (Figure 104-12).** The following standards apply only to the Mission Vineyard Estates site, as shown in Figure 104-12.



**Figure 104-12 – RSF – Mission Vineyard Estates Site**

- a. **Ridgetop development prohibited.** Development must occur below the 687-foot contour.
- b. **Visual mitigation requirements.**
  - (1) All development shall blend in with existing topography.
  - (2) Cut and fill slopes shall be rounded to reduce the transition between slope angles.
  - (3) Finished building pads should be at or below the average natural elevation.
  - (4) Building height shall not exceed 20 feet.
  - (5) Hipped-roof design is required.
  - (6) Colors must be dark, muted, earth-tone shades.
  - (7) A landscaping plan must be submitted to provide 50 percent screening within 5 years and 80 percent screening within 10 years.
  - (8) An exterior lighting plan shall be submitted and reviewed to ensure illumination levels are the minimum needed for public safety.
- c. **Landscape buffers.** Landscape buffer areas are required as follows:
  - (1) 15 feet along the southern property boundary.

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- (2) 100 feet along the eastern property boundary.
- (3) 40 feet along the northern property boundary.

d. **Subdivisions.** Open space is required above the 687-foot elevation.

### K. Residential Multi-Family (RMF) land use category.

1. **Useable open areas.** New RMF development must include usable open areas (e.g. patios, gardens, play areas, swimming pools, etc.) based on the following standards:

a. **Development with useable common open areas.** Development shall meet the provisions specified in Subsections B.e.(1), B.e.(2), and B.e.(3) of Land Use Ordinance Section 22.22.145 (Planned Development). The minimum open area required by Section 22.10.130.B.2 shall include usable common open areas. In addition, each unit shall include a usable private open area containing a minimum of 175 square having minimum dimensions of 10 feet. Upper story units with no ground floor shall have a minimum of 60 square feet of usable private outdoor area having a minimum dimension of six feet.

b. **Development with useable private yards.** This standard applies to multi-family projects (such as duplexes, row houses, or detached units) that propose individual private yards rather than usable common open areas. A usable common open area is not required, provided that the minimum open area of Section 22.10.130.B.2 is met, and a minimum of 750 square feet of usable private yards, with a minimum dimension of 15 feet, is provided for each unit.

2. **Building height.** Buildings with dwelling units that have entries not located on the ground floor are limited to two stories in height. Buildings that are designed to resemble single family dwellings, town houses, row houses or similar structures where each unit's entry is on the ground floor, are subject to the height limits of Section 22.10.090.

3. **Residential Multi-Family design guidelines.** Residential multi-family project shall meet a minimum of five of the following guidelines.

a. **Unit size and type.** Developments where all units are the same size and type are discouraged. Larger multi-family developments should provide a mix of unit sizes and types.

b. **Units per building.** Buildings should be limited to no more than six dwellings.

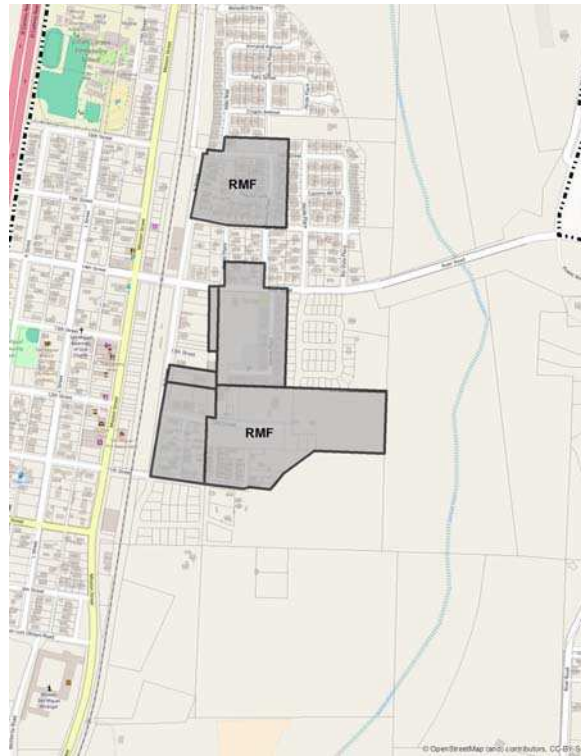
c. **Front setback should not be used for parking.** The space between the building and the front property line where there is street frontage should not be used for parking. Parking should be in the interior of the site or on the sides where they can be screened by landscaping.

d. **Entries.** Each unit of a multi-family development should have its own separate main entry from the outdoors. Any building having frontage on a public street should have at least one-half of its entries face the street.

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Alternatively, multi-family residential structures that are constructed to mimic the design, scale, siting, and form of a single-family residence may propose a single consolidated entry point for all units. Any consolidated entry point should face the street.

- e. **Footprints.** Building footprints should resemble a series of partially overlapping rectangles as opposed to a single rectangle.
  - f. **Details.** Buildings should include details associated with single-family residences, for example, porches, bay windows, chimneys, trellises, built-in planters, integrated low walls, etc.
  - g. **Building variations.** Where two buildings are adjacent to one another with the same orientation, different design features should be used to differentiate between the buildings. In instances where there is a row of more than two buildings, a maximum of two adjacent units may have identical wall and roof lines.
  - h. **Elevations.** All sides of multi-family residential developments and garages should be detailed and articulated with relief elements and changes in plane.
  - i. **Parking layout.** No more than six parking spaces or carport stalls should be grouped together, and landscaping should be installed between each group of parking spaces. Any carport structures should be architecturally compatible with adjacent residential structures and should be integrated with patio or building walls whenever possible.
  - j. **Covered parking.** In order to ensure that covered parking areas are retained for parking rather than storage, carports are favored over garages.
  - k. **Landscape details.** Multi-family units should have landscape features commonly associated with single-family homes, such as flowering plants, fenced yards, private parking areas, planter boxes, stone or stepping stone pathways, etc.
4. **Development east of the railroad tracks.** The following standards apply to development in the RMF land use category east of the railroad tracks as shown as Area A in Figure 104-13, below:



**Figure 104-13 - RMF - East of the Railroad Tracks**

- a. Link cul-de-sacs and dead end streets.
- b. Incorporate traffic calming features into the design of new streets to reduce vehicle speed.
- c. Include easements for bikeways and pedestrian walkways.
- d. Provide sidewalks, landscaping, and on-street parking.
- e. Include adequate lighting for sidewalks and crosswalks.
- f. Provide secure on-site bicycle parking.
- g. Provide easements or land dedications for trails, consistent with the Parks and Recreation Element, for development near the Salinas River.
- h. Submit a vernal pool habitat evaluation and a botanical survey shall be submitted with grading, construction or land use permit applications.
- i. Cluster development on the areas west of the Flood Hazard (FH) combining designation. Retain FH areas in as usable open areas or open space.
- j. Limit density to 20 units per net acre (excluding the Flood Hazard Zone, rights-of-way and access easements).

**5. L Street area.** Within the L Street Area, as identified in Figure 104-14, new residential developments proposing access from the alley shall be evaluated by a traffic engineer for improvement and safety recommendations.



Figure 104-14 – RMF – L Street Area

6. N Street Site (Figure 104-15). The following standards apply to development in Area B in Figure 9-E.

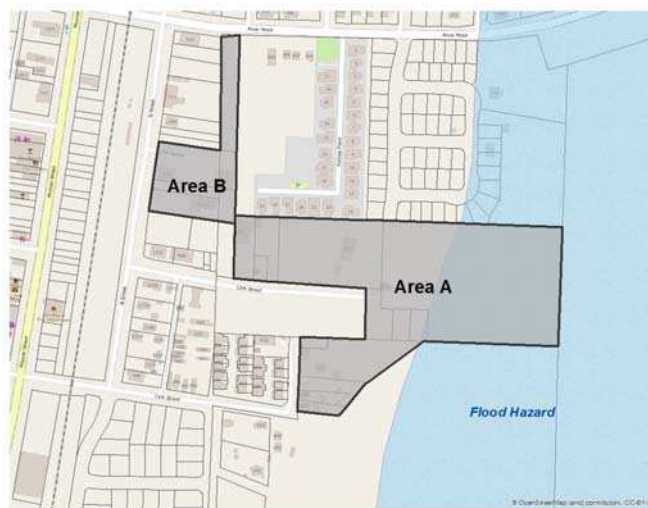


Figure 104-15 – RMF – N Street Site

- a. Density. The maximum density is 15 units per acre.



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- b. Access. For those sites fronting on a private road, as shown on Figure X-X, access shall be taken from the private road.
  - c. Parking. Adequate on-site parking shall be provided for sites fronting the private road, where the road's width is too narrow to allow on-street parking.
7. 16<sup>th</sup> Street and Bonita Place. The overall density shall be limited to 10 units per gross acre. Residential development shall be designed to blend in with the surrounding single-family residential neighborhood.

SECTION 2. The Board of Supervisors hereby certifies that the FEIR has been prepared and completed in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. and the Board of Supervisors reviewed and considered the information contained in the FEIR prior to approving the amendments and that the FEIR reflects the lead agency's independent judgement and analysis. Further, the Board of Supervisors hereby adopts the recommended findings of the County Environmental Coordinator which are attached hereto and incorporated herein as though fully set forth.

SECTION 3. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT: None

ABSTAINING: None

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Chairman of the Board of Supervisors,  
County of San Luis Obispo,



Attachment 6 - LUO amendments (Community Planning Stds)

State of California

ATTEST:

\_\_\_\_\_  
County Clerk and Ex-Officio Clerk  
of the Board of Supervisors  
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED  
AS TO FORM AND CODIFICATION:

RITA L. NEAL  
County Counsel

By: \_\_\_\_\_  
Deputy County Counsel

Dated: \_\_\_\_\_